

# ***NEWS RELEASE***

---



## ***OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA***

***San Diego, California***

***United States Attorney  
Karen P. Hewitt***

---

***For Further Information, Contact: Assistant United States Attorney Linda Frakes (619)557-5711***

---

***For Immediate Release***

### **NEWS RELEASE SUMMARY** - March 26, 2007

United States Attorney Karen P. Hewitt announced that Richard Elizalda was sentenced today in U.S. District Court in San Diego by the Honorable Larry A. Burns to serve 57 months in custody, followed by three years of supervised release, based on his guilty plea on September 14, 2006, to charges of Bribery of a Public Official and Bringing in Illegal Aliens for Financial Gain. Codefendant Kenneth Web was also sentenced today to serve a term of 36 months in custody for his role in bringing in illegal aliens for financial gain.

Elizalda was formerly employed as a Customs and Border Protection officer at the San Ysidro Port of Entry. According to Assistant U.S. Attorney Linda Frakes, who prosecuted the case, agents with the Border Corruption Task Force and Immigration and Customs Enforcement identified codefendants Raquel Arin and Carmen Alvarado as leaders of an alien smuggling organization who hired drivers to bring illegal aliens into the United States through Elizalda's primary inspection lane at the San Ysidro Port of Entry. As part of the scheme, Elizalda communicated his lane assignment information via text messaging to Arin and Alvarado. Elizalda was paid a cash bribe for allowing the aliens to enter illegally. During the course of the

conspiracy, which lasted approximately two years, Elizalda accepted more than \$70,000 in bribes for allowing hundreds of illegal aliens to enter the United States.

According to court records, agents intercepted telephone calls, pursuant to a lawful court order, in which Elizalda discussed specific alien smuggling activity with co-defendant Arin. Agents also were able to detain illegal aliens and arrest drivers who had just been admitted by Elizalda or who were waiting in his assigned lane. Following the arrests of the defendants on June 8, 2006, agents executed search warrants and found approximately \$36,760 in U.S. currency at Elizalda's house, numerous items of valuable jewelry, a 2005 BMW and a 2000 Lexus. As part of the plea agreement, Elizalda agreed to forfeit both vehicles, and all of the jewelry, \$36,760, to pay an additional fine of \$20,000, and to resign from the Department of Homeland Security. Arin was sentenced on February 15, 2007, to serve 30 months in custody, and she agreed to forfeit her interest in both vehicles and all of the jewelry. Alvarado and codefendant Sandra Munoz are scheduled to be sentenced on April 2, 2007.

In imposing the sentence, Judge Burns noted that Elizalda was the ring leader of the criminal activity, that he totally abdicated his oath to uphold the law, and that Elizalda would be forever remembered as corrupt.

United States Attorney Hewitt said, "When one sworn to uphold the law violates that oath in order to enrich himself he causes immeasurable harm to our community. Today's sentence demonstrates that those who sell out their duty to uphold the laws they are sworn to enforce face severe sentences for their criminal activity."

This case was the result of a two-year investigation entitled, "Operation Permanent Wave," involving agents of the Federal Bureau of Investigation, Immigration and Customs Enforcement (ICE), Internal Revenue Service (IRS) and Department of Homeland Security (DHS) - Office of Inspector General.

Adele Fasano, Customs and Border Protection Director of Field Operations said, "We believe this court action today sends a strong message to those in trusted positions in federal law enforcement who would contemplate participating in corrupt and unlawful behavior. CBP enjoys a special position of national trust

as the sole border enforcement agency. Our officers are highly skilled, hard-working professionals dedicated to protecting the American public. We will not tolerate corruption within our workforce and we will actively ferret out and prosecute to the fullest extent of the law any employees who commit unethical or unlawful acts that violate that special trust.”

## **DEFENDANTS**

## **Criminal Case No. 06 CR 1195-LAB**

Richard Elizalda

Sentence: 57 months in custody; 3 years supervised release; and pay a \$20,000 fine

Kenneth Web

Sentence: 36 months in custody and 3 years supervised release

## **SUMMARY OF CHARGES**

Count: 1

Charges: Bribery of a Public Official  
Title 18, United States Code, Section 201(b)(1)(A) and (C).

Counts: 3 and 10

Charges: Bringing in Illegal Aliens for Financial Gain  
Title 8, United States Code, Section 1324(a)(2)(B)(ii).

## **PARTICIPATING AGENCIES**

Federal Bureau of Investigation

United States Department of Homeland Security, Immigration and Customs Enforcement

United States Department of Homeland Security, Office of Inspector General

United States Department of Homeland Security, Immigration and Customs Enforcement, Office of Professional Responsibility

Internal Revenue Service, Criminal Investigation

United States Department of Homeland Security, Customs and Border Protection, Anti-Terrorism Contraband Enforcement Team

San Diego County Sheriff